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March 19, 2018

VIA ECF

The Honorable Jesse M. Furman  
United States District Court for the  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Reichwaldt v. General Motors LLC (In re Motors Liquidation Co.)*  
Case No. 1:17-cv-08294-JMF

**Letter Motion Requesting Leave to File Response to New GM's Sur-reply  
Brief**

Dear Judge Furman:

As you know, this firm represents Appellant Kaitlyn Reichwaldt. This letter raises two issues with the Court.

*First*, the Court allowed New GM to file a sur-reply to the reply brief filed by Ms. Reichwaldt in this appeal. Doc. 22. As the appellant in this matter, Ms. Reichwaldt respectfully requests that she be given the opportunity to respond to the arguments New GM raised for the first time in its sur-reply. Attached hereto is a proposed three page letter brief responding to New GM's sur-reply. Ms. Reichwaldt requests leave to file her letter brief so the record in this matter is complete.

*Second*, New GM has sent another letter to this Court attaching an Order (the "March 1 Order") entered by Chief Judge Thrash in Ms. Reichwaldt's Atlanta case against New GM. Doc. 23. The March 1 Order denied Ms. Reichwaldt's Motion for Reconsideration of the Atlanta Court's dismissal of some of Ms. Reichwaldt's claims against New GM. Doc. 23. As New GM did with its prior letter to the Court attaching an Order from the Atlanta Court – Doc. 17 – New GM did not explain why it was filing the March 1 Order or explain the context of the Order to the Court. The March 1 Order has no effect on this appeal, which is related to Ms. Reichwaldt's claim for punitive damages based on the conduct of Old GM. Even after the March 1 Order, Ms. Reichwaldt still has a pending design defect claim against New GM based on Old GM conduct that would support a claim for punitive damages, if this Court or the Second Circuit concludes that punitive damages were assumed by New GM as part of the 363 sale. Thus, the issues in this appeal remain active and must be decided by this Court.

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Respectfully submitted,

BUTLER WOOTEN & PEAK LLP

s/ Robert H. Snyder

Robert H. Snyder